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PATENT

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TECH CENTER 1600/2900THE UNITED STATES PATENT AND TRADEMARK OFFICE
In the Application of:

EDGAR B. CAHOON ET AL.

CASE NO.: BB-1295

APPLN. NO.: 09/856,018

GROUP ART UNIT: 1638

FILED: MAY 16, 2001

EXAMINER: E. F. MCELWAIN

FOR: PLANT DIACYLGLYCEROL

CONFIRMATION NO.: 2583

ACYLTRANSFERASES

**PRELIMINARY AMENDMENT AND
RESPONSE TO RESTRICTION REQUIREMENT**Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is a Preliminary Amendment and Response to the Restriction Requirement set forth in the Office Action mailed September 30, 2002. A Petition for Extension of Time for three (3) months up to and including January 30, 2002, is filed simultaneously herewith. Please enter the following:

IN THE SPECIFICATION

Please amend the specification as follows; a marked-up version showing changes made is attached hereto:

Paragraph beginning at page 8, line 17, and continuing through page 9, line 2:

B¹ A "substantial portion" of an amino acid or nucleotide sequence comprises an amino acid or a nucleotide sequence that is sufficient to afford putative identification of the protein or gene that the amino acid or nucleotide sequence comprises. Amino acid and nucleotide sequences can be evaluated either manually by one skilled in the art, or by using computer-based sequence comparison and identification tools that employ algorithms such as BLAST (Basic Local Alignment Search Tool; Altschul et al. (1993) *J. Mol. Biol.* 215:403-410). In general, a sequence of ten or more contiguous amino acids or thirty or more contiguous nucleotides is necessary in order to putatively identify a polypeptide or nucleic acid sequence as homologous to a known protein or gene. Moreover, with respect to nucleotide sequences, gene-specific oligonucleotide probes comprising 30 or more contiguous nucleotides may be used in sequence-dependent methods of gene identification (e.g., Southern hybridization) and isolation (e.g., *in situ* hybridization of bacterial colonies or bacteriophage plaques). In addition, short oligonucleotides of 12 or more nucleotides